



1FW

Rev 2/06

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Laszlo Takacs et al.  
 Application No. : 10/588,392  
 Filed : August 3, 2006  
 Confirmation No. : 8285  
 For : MONOCLONAL ANTIBODY BASED BIOMARKER DISCOVERY  
 AND DEVELOPMENT PLATFORM  
 Examiner : To be assigned  
 Attorney's Docket : NU-BI-659XX

TC Art Unit: 1639

\*\*\*\*\*  
 I hereby certify that this correspondence is being deposited with the  
 United States Postal Service as first class mail in an envelope  
 addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box  
 1450, Alexandria, VA 22313-1450 on Aug 17, 2007.

By: Holliday C. Heine  
 Holliday C. Heine, Ph.D.  
 Registration No. 34,346  
 Attorney for Applicant(s)

\*\*\*\*\*

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the  
 enclosed references listed on the attached copy of PTO Form #1449. The  
 paragraph(s) marked below are applicable to this Information Disclosure  
 Statement.

- [ ] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached  
 Information Disclosure Statement is being filed within three  
 months of the filing date of the above identified national  
 application or within three months of the date of entry of the  
 national stage as set forth in 37 C.F.R. § 1.491 of the above

identified application. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

- [X] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [ ] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.
- [ ] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:  
[ ] a statement under 37 CFR § 1.97(e); or  
[ ] the fee set forth in § 1.17(p).

PETITION UNDER 37 CFR § 1.97(d)

- [ ] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

- [ ] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

- [ ] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the

Application No.: 10/588,392  
Filed: August 3, 2006  
TC Art Unit: 1639  
Confirmation No.: 8285

undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made. The filing of this Information Disclosure Statement is not to be construed to be an admission that the information cited herewith is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that Applicant(s) is(are) unable to provide an affidavit under 37 CFR §1.131 swearing back of such information.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

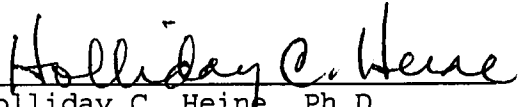
Application No.: 10/588,392  
Filed: August 3, 2006  
TC Art Unit: 1639  
Confirmation No.: 8285

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

LASZLO TAKACS ET AL.

By:

  
Holliday C. Heine, Ph.D.  
Registration No. 34,346  
Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,  
GAGNEBIN & LEOVICI LLP  
Ten Post Office Square  
Boston, Massachusetts 02109

Telephone: (617) 542-2290  
Telecopier: (617) 451-0313

HCH/aft/355893.1  
Enclosure



Date: August 17, 2007

Page 1 of 1

(REV. 05/03)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY. DOCKET NO.

APPLICATION NO.

NU-BI-659XX

10/588,392

APPLICANT:

Laszlo Takacs et al.

FILING DATE

August 3, 2006

TC ART UNIT

1639

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE
	**	US 5,242,799 A	09/07/1993	Samuel et al.	435	7.1	
	**	US 2003/0228291 A1	12/11/2003	Lawman et al.	424	93.21	
	**	US 2003/0007991 A1	01/09/2003	Masters et al.	424	423	
		US					
		US					
		US					
		US					

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)


EXAMINER

/Jeffrey Lundgren/

DATE CONSIDERED 06/01/2009

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*\* References cited in the International Search Report (copy enclosed)

HCH/aft/355891.1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.L./